

**FULL BOARD MEETING MINUTES  
BOARD OF REALTY REGULATION  
301 S. Park, Helena MT  
Basement Conference Room  
10:00 a.m. to 12:09 p.m.  
August 8, 2019**

**JOIN BY PHONE:**  
**Phone # 1-833-681-5958 (toll free)**  
**or**  
**406-444-4647 (local)**  
**Conference ID: 664983#**

**1. Call to Order - Establish Quorum - Introduction of Board & Staff Members Present (00:50)**

Presiding Officer, Ric Smith, called the meeting to order at 10:00 a.m. It was determined that a quorum was present to begin deliberations.

**Board Members Present:**

Mr. Ric Smith  
Mr. Eric Ossorio  
Mr. Dan Wagner  
Mr. Kevin Wetherell  
Mr. Josh Peck  
Ms. Julie Gardner (on phone)  
Ms. Lindsey Hromadka (on phone)

**Staff Present:**

Ms. Rhonda Morgan, Executive Officer  
Ms. Colleen White, Board Counsel  
Ms. Debra Tomaskie, Administrative Specialist  
Ms. Tiffany Huss, DLI/BSD/Auditor  
Ms. Kris Brewer, DLI/BSD/Auditor

**Guests Present:**

Ms. Gail Goodwin  
Mr. Zane Sullivan  
Ms. Laurie Koutruk  
Mr. Mark Simonich  
Mr. Jamie Bowditch  
Mr. Sam Sill (on phone)

**2. Approval and Tentative Modification of Agenda Order (02:00)**

The Board made the following changes to the agenda:

- At the request of the applicant, discussion of the non-routine application for Domingo Baez has been tabled until the next Full Board meeting.
- Discussion of the non-routine application for Gail Goodwin will be moved toward the beginning of the meeting.
- There will be a brief Audit Staff change announcement.

**3. Review Minutes (03:20)**

There were no changes made to the May 2, 2019 Open Session Full Board and June 27, 2019 Open Session Full Board minutes.

#### **4. Public Opportunity to Comment (03:44)**

(Presiding Officer Statement): "Under this item, the Board will offer an opportunity to members of the public in attendance to comment on any public matter under the jurisdiction of the Board that is not on the agenda of this meeting. While the Board cannot take action on any issues presented, the board will listen to comments and may ask staff to place the issue on a subsequent agenda. The presiding officer may limit the comment period in order to proceed with the board meeting."

(04:15) Mr. Zane Sullivan reported concerns about a recent audit performed citing a company for dual agency non-compliance. The Board agreed to discuss possible rule changes regarding dual agencies at their next Full Board meeting.

#### **5. Department Update – Todd Younkin (10:30) (47:11)**

#### **6. Board Action**

##### **a. Non-routine Applications**

- i. Domingo Baez – Salesperson (21:10)

The application of Domingo Baez was tabled until the next Full Board meeting.

- ii. Daniel Haffey – Salesperson (21:20)

Motion (36:59): Mr. Dan Wagner moved to issue a 1-year probationary license to Daniel Haffey with conditions of requiring quarterly reports from his probation officer or any report of violation of probation and condition he seek approval from the board to change brokers and approval will not be unreasonably withheld and other standard and conditions of the probation. Motion carried.

##### **Pre-Licensing Course Exemption Request (10:40)**

- iii. Gail Goodwin, Property Management (10:40)

Motion (10:09): Mr. Kevin Wetherell moved to discuss the matter at the next Full Board meeting. Motion died.

Motion (19:37): Mr. Kevin Wetherell moved to deny the exemption request from Gail Goodwin based on the lack of statutory authority. Motion carried.

Board Staff will place discussion of proposed statutory and rule changes with regard to exemptions on the next Full Board agenda.

##### **b. Pre-Licensing Education Instructor Application**

- i. Jack Morton, Connole-Morton (45:25) (1:01:10)

Motion (1:08:50): Mr. Josh Peck moved to approve the application of Jack Morton. Mr. Eric Ossorio seconded. Motion carried.

The Board will place discussion of soliciting for RFP's for online property management pre-licensing course(s) on the next Full Board agenda.

##### **c. Course Grant Application**

- i. Montana Association of Realtors, Rookie Courses (1:10:50)
  - 1. March 19-20, 2018, Great Falls
  - 2. October 23-24, 2018, Helena

Motion (1:16:06): Mr. Josh Peck moved to grant a refund of \$2840.95 to Montana Association of Realtors (MAR) for the 2018 courses. Motion carried.

**d. HB 416 & HB 376 Implementation (00:1:16:50)**

- i. RFP Development (1:17:23)
- ii. Necessary Rules Changes (1:23:20)

**e. Education Committee Plan (1:26:40)**

- i. Committee Members Review (1:27:00)

(1:30:40) Board Member Dan Wagner is currently sitting as a member of the Education Committee. Board Member Eric Ossorio volunteered to also sit on the committee.

- ii. Pre-licensing Course Hours Review & Recommendation (1:27:00)

**f. Travel (1:39:14)**

- i. ARELLO Annual Conference, Denver, September 18-21
  - 1. Commissioner College Section 101, September 22

Motion (1:40:20): Mr. Dan Wagner moved to approve expenses for Board Member Eric Ossorio to attend the ARELLO Annual Conference and Commissioner College Section 101 in Denver CO, September 18-21.

**7. Committee Reports**

- a. Screening Panel Report (1:40:00)
- b. Adjudication Panel Report (1:41:20)

**8. Executive Officer Report**

- a. Financials (1:41:30)
- b. Rules Notice Update (1:1:48:25)

**9. Legal Report (1:49:10)**

**10. Adjourn (1:49:31)**

Presiding Officer, Ric Smith, adjourned the Board of Realty Regulation Open Session Full Board meeting at 12:09 p.m.